

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

TIMIA CHAPLIN, and PAULINO
CASTELLANOS, on behalf of
themselves and all others
similarly situated,

Plaintiffs,

v.

WILLIE R. ROWE, in his
official capacity as the
Sheriff of Wake County,
BRIAN ESTES, in his
Official capacity as the
Sheriff of Lee County,
TYLER TECHNOLOGIES, INC.,
JOHN DOE SURETY, as the
surety for the Sheriff
of Wake County Defendant,
JOHN DOE SURETY, as surety
for the Sheriff of Lee
County, and DOES 1 THROUGH
20, INCLUSIVE,

Defendants.

1:23-cv-423

ORDER

This matter comes before the court upon Plaintiffs' Motion to Extend the Time to Move for Class Certification. (Doc. 23.) Under Local Rule 23.1(b), Plaintiffs move the court to extend the deadline for filing a motion for class certification until the court implements a scheduling order setting specific deadlines in this matter. Defendants' Tyler Technologies, Inc., Brian Estes, and Willie L. Rowe responded and object to the

proposed extension. Plaintiffs have filed a reply. (Docs. 26, 27, 28, 32.)

Defendant Tyler Technologies raises persuasive arguments in objecting to the motion for extension. (See Doc. 26.) Although those arguments have merit, Plaintiffs have now filed a First Amended Complaint, (Doc. 30), adding new plaintiffs, (see id.), an action which does not affect the analysis.

Plaintiffs' motion for certification of class action would be untimely in the absence of an extension of time, see LR 23.1(b), this court's general preference is to address the class action question after any motion to dismiss is resolved. At present, Defendants have been granted extensions of time and an answer or other response to the amended complaint is not due until December 13, 2023. (See Orders 11/02/2023, 11/06/2023, 11/07/2023.) Under the circumstances present here, the court will grant the motion and extend the deadline until December 15, 2023.

IT IS THEREFORE ORDERED that Plaintiffs' motion to extend time, (Doc. 23), is **GRANTED** and Plaintiffs are hereby granted an extension of time to and including December 15, 2023, to move for class certification.

This the 8th day of November, 2023.


United States District Judge